UNITED
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General Assembly Security Council

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S/23241
25 November 1991
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-sixth session
Agenda item 35
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-sixth year

Letter dated 22 November 1991 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you of the following:

Since we addressed to you our most recent letter concerning Israeli outrages and practices in southern Lebanon, that dated 1 November 1991 and circulated in document A/46/611-S/23192, the Israeli occupation forces have been shelling densely populated villages and towns with heavy artillery. This has created a distressing and inflammable situation in southern Lebanon and the western Bekaa in which there are a number of civilian dead and wounded on a daily basis, and it has led to the displacement of tens of thousands of Lebanese from their homes to safer areas and to heavy damage to buildings and property. On 15 November 1991, a crime was perpetrated by Israeli forces in the town of Zebquine in which three children lost their lives. Then, at 12.45 a.m. on Wednesday, 20 November, Israeli forces advanced to the town of Majdel Salem, breaking through the positions of the Irish contingent of the United Nations Interim Force in Lebanon, and there blew up homes belonging to two citizens, Mamoon Yassine and Mohamed Haidar Zahweh, and opened heavy fire in all directions causing the death of the nine-year old son of the first named and wounding five of the inhabitants. They then abducted Mamoon Yassine, his three children and his brother and took them inside the so-called "security zone".

The Lebanese Government, in notifying you of these inhuman outrages and practices, calls upon the Security Council and the international community expeditiously to adopt a resolute position in order to deter the Israeli Government from pursuing a hostile policy that is incompatible with the Charter of the United Nations and international law and which subjects Lebanon's sovereignty and the lives and security of its citizens to daily

violations, particularly at a time when strenuous efforts are being made to achieve a solution to the Middle East problem by means of the peace conference.

The ongoing Israeli outrages have, at the same time, the goal of neutralizing the desire of the Lebanese Government and obstructing its plans for the normalization of the situation in all parts of Lebanon and the achievement of security and stability through the use of its lawful agencies.

The Lebanese Government, confronted by this situation, reserves its right to call for a meeting of the Security Council at any time that it may deem appropriate in order to consider the constant Israeli military escalation in southern Lebanon and the threat that it constitutes to security and peace in the Middle East region and in the world.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Khalil MAKKAWI
Ambassador
Permanent Representative

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General Assembly Security Council

Distr.
GENERAL

A/46/699
S/23242
25 November 1991

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-sixth session
Agenda items 19 and 98
IMPLEMENTATION OF THE DECLARATION ON
THE GRANTING OF INDEPENDENCE TO
COLONIAL COUNTRIES AND PEOPLES
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 22 November 1991 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I should like to convey to you the text of a statement of the Portuguese Government on Indonesia's appointed "Commission of Enquiry" into the Dili massacre (see annex).

I would be grateful if you could kindly arrange for the text of the present letter and its annex to be circulated as an official document of the General Assembly, under agenda items 19 and 98, and of the Security Council.

(Signed) Fernando REINO
Ambassador of Portugal
Permanent Representative to the
United Nations

ANNEX

Statement of the Government of Portugal on Indonesia's appointed "Commission of Enquiry" into the Dili massacre

The Indonesian Government, yelling apparently to the international outcry of protests over the vile massacre by its military of East-Timorese defenceless civilians, on 12 November, in Dili, appointed a so-called "Commission of Enquiry", chaired by a member of the Supreme Court, who happens to be a retired General, comprising members attached to or dependent on the Government.

(1) Indonesia, which is occupying by force and illegally, in violation of resolutions adopted by both the General Assembly and the Security Council of the United Nations, the non-self-governing territory of East Timor, under Portuguese administration, recognized as such by the United Nations, lacks any legitimacy whatsoever to conduct such an enquiry;

(2) The aforesaid "Commission", moreover, does not meet any of the necessary requirements of credibility and impartiality and will, therefore, convert the indispensable investigation to be carried out on such a brutal violation of the most basic human rights into a mockery;

(3) Portugal strongly rejects any validity to this act of the Indonesian Government and reiterates its position that only an independent investigation, conducted under international supervision, will be legitimate and capable to ensure the seriousness imperatively required in those proceedings.

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Forty-sixth session
Item 15 (c)
ELECTION TO FILL VACANCIES IN
PRINCIPAL ORGANS: ELECTION OF A
MEMBER OF THE INTERNATIONAL
COURT OF JUSTICE

SECURITY COUNCIL
Forty-sixth year

List of candidates nominated by national groups

Note by the Secretary-General

1. By a communication dated 28 August 1991, addressed on behalf of the Secretary-General to the States parties to the Statute of the International Court of Justice, attention was drawn to the vacancy in the International Court of Justice caused by the death, on 14 August 1991, of Judge Taslim Olawale Elias (Nigeria). Pursuant to Article 5, paragraph 1, and Article 14 of the Statute of the Court, the national group of States parties to the Statute of the Court were invited to undertake the nomination of persons in a position to accept the duties of a member of the Court and to submit such nomination to the Secretary-General no later than 28 November 1991.

2. In accordance with Article 7 of the Statute of the Court, the Secretary-General has the honour to submit to the General Assembly and to the Security Council the names of the candidates thus nominated (see annex).

3. The composition of the Court and the voting procedure to be followed in the General Assembly and in the Security Council are contained in a memorandum by the Secretary-General, issued as document A/46/630-S/23227. The curricula vitae of the candidates appear in A/46/707-S/23244.

ANNEX

List of candidates

Name and nationality	Nominated by the national group of
Ajibola, Bola (Nigeria)	Gambia Liberia Nigeria Sierra Leone
Asante, Samuel K. B. (Ghana)	Belgium Ghana Netherlands Singapore
Njenga, Frank Xavier (Kenya)	Kenya Sweden
Ssekandi, Francis Muzingu (Uganda)	Uganda

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A/46/707
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29 November 1991

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-sixth session
Agenda item 15 (c)
ELECTIONS TO FILL VACANCIES IN
PRINCIPAL ORGANS: ELECTION OF
A MEMBER OF THE INTERNATIONAL
COURT OF JUSTICE

SECURITY COUNCIL
Forty-sixth year

Curricula vitae of candidates nominated by national groups

Note by the Secretary-General

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	ASANTE, Samuel K. B.	7
	NJENGA, Frank X.	21
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I. INTRODUCTION

The Secretary-General has the honour to submit to the General Assembly and the Security Council the curricula vitae of the candidates nominated by national groups for the election to fill a casual vacancy on the International Court of Justice caused by the death, on 14 August 1991, of Judge Taslim Olawale Elias (Nigeria). The names of the candidates nominated for this election have been circulated in document A/46/706-S/23244. The composition of the Court and the voting procedures to be followed in the General Assembly and in the Security Council are contained in a memorandum by the Secretary-General issued as document A/46/630-S/23227.

II. CURRICULA VITAE

AJIBOLA, Bola

(Nigeria)

Nationality: Nigerian

Date of Birth: 22 March 1934

Member, International Law Commission, United Nations, Geneva

Member, United Nations Permanent Court of Arbitration at The Hague

Member, International Chamber of Commerce Court of Arbitration

Member, International Maritime Arbitration Commission, Paris

Member, Panel of International Arbitrators (London Institute of Arbitrators)

Member, International Advisory Committee of the World Arbitration Institute, USA

Member of the Nigerian Delegation to the forty-first session of the United Nations General Assembly

Temporary President of the United Nations General Assembly at its seventeenth special session on narcotic drugs, from 21 to 23 February 1990

Vice-President, International Contractual Relations Commission of the International Chamber of Commerce

Vice-President, Institute of International Business Law and Practice, Paris

National Chairman, World Peace Through Law Centre

Represented Africa in the demonstration trial on the law of the sea at the World Peace Through Law Conference (Manila, 1970)

Fellow of the Chartered Institute of Arbitrators

Fellow of the Nigerian Institute of Advanced Legal Studies

Friend of the Institute of Advanced Legal Studies, London

Editor, Nigeria's Treaties in Force, 1970-1990

Editor, All Nigeria Law Reports, 1961-1990

Chairman of the Task Force for the Revision of the Laws of the Federation, 1990

Editor-in-chief, Justice (a monthly journal of contemporary legal problems)

General Editor of the Federal Ministry of Justice Law Review Series (FMJLRS) (now in seven volumes)

Career

Called to the Bar, Lincoln's Inn, 1962 (Barrister-at-Law)

Legal Practitioner for 23 years, mostly in Lagos and also in all other parts of Nigeria

Principal Partner of Bola Ajibola & Co., with offices in Lagos, Ikeja, Abeokuta and Kaduna

Specialization: commercial law practice with particular bias for international arbitration

President, Nigerian Bar Association, 1984-1985

Chairman, Body of Benchers, 1989-1990

Chairman, Body of Senior Advocates of Nigeria, 1986 to date

President, Association of Arbitrators of Nigeria

Chairman, Disciplinary Committee of the Bar

Chairman, General Council of the Bar

Chairman, Advisory Committee on the Prerogative of Mercy

Member, Nigeria Police Council

Member, Advisory Judicial Committee

Member, Judicial Service Committee (Abuja)

Regional cooperation

Initiated the first ever African Law Ministers Conference, Abuja, November 1989 (attended by 32 African countries)

Chairman of Meeting of ECOWAS Council of Law Ministers, Lagos, Nigeria, August 1990 where the Treaty Establishing the Court for the Economic Community of West African States was drafted, and agreed to by ECOWAS Law Ministers

Member, ECOWAS Steering Committee for the review of the ECOWAS Charter

Leader of the Nigerian Delegation to the Ethiopian All-Party Conference on Peaceful and Democratic Transition

Chairman of the First Meeting of the Working Committee, All-Africa Law Ministers Conference, Cairo, April 1991

Principal publications

Principles of Arbitration, 1980

New Concepts in the Resolution of Disputes in International Construction Contracts, 1981

Work Paper on International Commercial Arbitration, 1982

Arbitration and State Enterprises - Case Study of Nigerian Cement Transactions, 1983

Modernization of National Arbitration Laws in Aid of International Commercial Arbitration, 1984

The Law and Settlement of Commercial Disputes, 1984

Law Development and Administration in Nigeria, 1987

Towards a Better Administration of Justice System in Nigeria, 1988

Integration of the African Continent Through Law, 1988

Narcotics: Law and Policy in Nigeria, 1989

Compensation and Remedies for Victims of Crime, 1989

Banking Frauds and Other Financial Malpractices in Nigeria, 1989

Women and Children under Nigerian Law, 1990

Scheme relating to Mutual Assistance in Criminal Matters and the Control of Criminal Activities within Africa, 1990

Human Rights in Africa (awaiting publication in the Melange in Honour of Judge T. O. Elias)

Membership of other international bodies

African Bar Association

International Bar Association

Association of World Lawyers

International Chamber of Commerce

Commonwealth Law Association

World Arbitration Institute

Society for the Reform of Criminal Law

Awards/honours

1987 World Jurist Award (under the auspices of World Peace through Law at Seoul)

Senior Advocate of Nigeria

Recipient or 1986 Ogun State of Nigeria Outstanding Citizen Merit Award

Life Member, Nigerian Institute of International Affairs

Life Member, Body of Benchers, Nigeria

ASANTE, Samuel K. B.

(Ghana)

Current position: Chairman, Ghana Constitution Drafting Committee, Ghana.
Deputy Executive Director, United Nations Centre on Transnational Corporations.

Date of Birth: 11 May 1933

Nationality: Ghanaian

Professional qualifications

LL.M. (Top of class), University of London, 1958.

Admitted as Solicitor of the Supreme Court of England (Honours), 1960.

Admitted to the Ghana Bar, 1960.

Doctor of Juridical Science (J.S.D.), Yale University Law School, 1965.

Attended a special course on corporate finance organized by the Harvard Business School for World Bank officials, in Washington, D.C., 1968.

Appointments

Assistant Solicitor, Canter and Martin, 10 Old Square, Lincoln's Inn, London, 1960.

Assistant State Attorney, Ministry of Justice, Accra, 1960-1961 (commercial law and international business transactions).

Lecturer-in-Law (full-time Member of Law Faculty), University of Ghana, 1961-1965.

Acting Head, Law Department, University of Ghana, 1962.

Sterling Fellow, Yale Law School, New Haven, Connecticut, USA, 1963-1965 (comparative law, jurisprudence and international law).

Lecturer-in-Law (Full-time Member of Law Faculty), University of Leeds, Leeds, UK, 1965-1966 (public international law and commercial law).

Attorney, Legal Department, World Bank, Washington, D.C., 1966-1969.

His work included the negotiation and drafting of loan agreements, investment agreements and other international business transactions between the Bank and member countries and other entities, general advice to the World Bank and members on the legal aspects of international finance and international investments, public international law and municipal law relevant to World Bank transactions.

Adjunct Professor of Law, Howard University Law School, Washington, D.C., 1967-1969 (International business transactions).

Solicitor-General of Ghana, with rank of Judge of the High Court of Ghana, 1969-1974.

Deputy Attorney-General of Ghana with rank of Judge of Court of Appeal, 1974-1977.

As Solicitor-General and Deputy Attorney-General, he was the official head of the Legal Class in the Public Service of Ghana.

In addition to his responsibility for constitutional and civil matters, he was the principal adviser to the Government of Ghana on international law and international business transactions. He supervised or participated in the negotiation of numerous international agreements with foreign Governments, transnational corporations, international financial institutions, development and lending agencies of numerous countries.

He represented the Government of Ghana in major international claims and attended, or supervised Ghana's participation in all major international legal conferences such as the Commonwealth Law Ministers Conferences, the meetings of the Asian-African Legal Consultative Committee, the various sessions of the Law of the Sea Conference, UNCITRAL and the establishment of the Economic Community of West African States.

Chairman of the Public Agreements Review Committee of Ghana 1972-1977.

- An interministerial committee responsible for reviewing and scrutinizing all international agreements negotiated by public agencies in Ghana.

Acting Attorney-General of Ghana, July-September 1974.

Chairman of the Minerals Negotiating Committee, Government of Ghana, 1972-1977.

Headed the government team for the negotiation of petroleum and mining agreements.

Leading member of the Ghana team that successfully negotiated the rescheduling of Ghana's external debt (incorporated in Treaty of Rome, 1974).

Consultant to the Commonwealth Secretariat, London - in preparing a project for the training of legislative draftsmen in West Africa, 1973.

Legal Consultant to the African Development Bank, Abidjan, to assist in drafting the charter for the African Regional Reinsurance Corporation, 1974.

Distinguished Visiting Professor of Law and Business, Temple University Law School, Philadelphia, USA, spring 1976 (counselling international investors).

Chairman of the United Nations African Regional Conference at the ECA, Addis Ababa, on the proposed code of conduct on transnational corporations, February 1977.

Chief Adviser On Legal Matters related to transnational corporations, United Nations Centre on Transnational Corporations, New York (with rank of Director), 1977-1983.

His work included:

(a) Advising Governments and governmental agencies throughout the developing world on the evaluation and negotiation of various transactions with transnational corporations, e.g., joint ventures, investment agreements, technology transfer and licensing agreements, turnkey and international construction contracts, management contracts, petroleum and mining agreements, consulting and technical assistance contracts.

(b) Organizing workshops on the negotiation of these agreements.

(c) Advising Governments on the formulation of policies and legislation relating to foreign investment and transnational corporations.

(d) Serving as legal adviser to the United Nations Commission on Transnational Corporations and Committees of the Economic and Social Council on the drafting of international instruments relating to TNCs such as the Code of Conduct on TNCs, international agreements on illicit payments in international business.

(e) Undertaking or supervising studies on various aspects of international business transactions, in particular, the legal aspects of foreign investment and transnational corporations.

Visiting Fellow, Clare Hall Cambridge University, England. Visiting Member of the Law Faculty of Cambridge University, 1978-79 (lectured on multinational corporations and international law).

Was nominated by the Ghana Judicial Council as a Judge of the Supreme Court of Ghana (the highest court) but he declined in view of international assignments, 1980.

Director (Advisory Services), United Nations Centre on Transnational Corporations, 1983-1990.

Duties involved directing an international programme of advisory services to Governments and governmental agencies in all regions of the world in the following broad areas:

(a) Legal aspects of foreign investment and international business transactions.

(b) The formulation or revision of the policies, laws and regulations relating to foreign investment and technology transfer either generally or in specific sectors.

(c) The structuring, evaluation, negotiation and drafting of specific contractual arrangements with transnational corporations for particular projects in various sectors in numerous countries.

(d) The provision of training of officials of public and private entities on the techniques of dealing with transnational corporations and on the issues arising in the formulation of investment policies and the negotiation of specific international business transactions.

These services have been extended to most countries in Asia and the Pacific, Africa, Latin America, Eastern Europe and some Western European countries.

His work included the supervision of specialist studies on current developments in foreign investment law, international law relating to TNCs and transactions with TNCs such as turnkey contracts, management contracts, petroleum and mining agreements, international loan transactions, debt-rescheduling, engineering and consulting contracts and joint ventures, equipment leasing contracts and international income taxation.

He continued to serve as the legal adviser to the United Nations Commission on TNCs with respect to the negotiation of the code of conduct on transnational corporations.

He has visited numerous countries in Asia, Africa, Latin America and the Caribbean, Eastern and Western Europe in the course of his work, and has lectured at UNCTC workshops in these countries.

Member, Board of Directors, International Development Law Institute, Rome, 1983-.

Deputy Executive Director, United Nations Centre on Transnational Corporations, 1990-.

Nominated by the National Groups of Ghana, the Federal Republic of Germany and Ireland as a candidate for election to the International Court of Justice, 1990.

Chairman, Ghana Constitution Drafting Committee, Government of Ghana, Accra, 1991.

Headed a committee of experts that formulated proposals for a new Constitution of Ghana.

International adjudication

(a) As Solicitor General, Deputy Attorney General and Acting Attorney General of Ghana, he reviewed and settled international claims presented by foreign entities against various agencies of the Government of Ghana.

(b) Has advised numerous Governments on the handling of international arbitration cases involving international economic law.

(c) Member of the Panel of Arbitrators at the International Centre for Settlement of Investment Disputes.

(d) Member of Panel of Arbitrators for Euro-Arab Arbitration System.

(e) Served as an arbitrator (appointed by the Government of Sri Lanka) in Asian Agricultural Products Ltd. v. The Democratic Socialist Republic of Sri Lanka (ICSID/ARB/87/3/1987). Award and Dissenting Opinion reported in International Legal Materials, vol. XXX, No. 3, May 1991.

(f) Member (1979) and President (1984) of the panel that judged the final round of the Jessup International Moot Competition organized by the American Society of International Law.

Honours, awards, etc.

Ghana Government Law Scholar, 1953-1960.

Fulbright Fellow, Aggrey Fellow, tenable at Yale Law School, 1963-1965.

Guest Fellow, Berkeley College, Yale University, 1963-1965.

Elected Fellow of the World Academy of Arts and Science, 1975.

Elected Fellow of the Ghana Academy of Arts and Science, 1976.

Taylor Annual Memorial Lecturer, University of Lagos, Nigeria, December 1978 (transnational investment law and national development).

Ghana Book Award for Distinguished Writers, 1980.

Life Member, Clare Hall, Cambridge University.

Member of Advisory Board, ICSID Review-Foreign Investment Law Journal.

Member of the Board of Directors and Editorial Board, International Third World Legal Association.

Member of the Executive Council of the American Society of International Law, 1979-1982.

Member of the Advisory Board, African Society of International and Comparative Law (based in London).

Member, Editorial Advisory Board, Fordham International Law Journal.

Honorary Friend of the Institute of Advanced Legal Studies, London University.

Honorary Fellow, Legon Hall, University of Ghana.

Professional associations

Member of the Society of Public Teachers of Law, England.

Member of the Ghana Bar.

Solicitor of the Supreme Court of England.

Member of the American Society of International Law.

Member of the International Law Association (Member of the Association's Committee on Legal Aspects of the New International Economic Order).

Member of the American Foreign Law Association.

Member of the General Legal Council of Ghana, 1969-1980.

Member of the International Bar Association.

Publications and lectures

Has published books and numerous articles on transnational investment law, international law, human rights, comparative law, law and development, the relations between developing countries and transnational corporations and international business transactions in leading international legal journals (see attached list).

Has lectured and participated in seminars at various learned institutions world wide, including the Universities of Harvard, Yale, Oxford, Cambridge, Michigan, Cornell, California at Los Angeles and Berkeley and Khartoum, and The Hague Academy of International Law, the Brookings Institution in Washington, the Conference Board, New York, the Soviet Academy of Arts and Science, Moscow, and the German Foundation for International Development, Berlin, on law relating to international finance, international investments, international law and transnational corporations.

Publications

1. Co-author: Judge M. Bedjaoui, Ed. "International Law - Achievements and Prospects" (UNESCO Manual on Public International Law) Martinus Nijhoff, 1991.

2. Some key issues in negotiating joint ventures, In: Economic reform of the Soviet Union: some guidelines for business - Milano, Euromobiliare, 1991.

3. Dissenting Opinion in Asian Agricultural Products Ltd. (AAPL) v. Democratic Socialist Republic of Sri Lanka (ICSID/ARB/87/3) 1987 reported in International Legal Materials, vol. XXX, No. 3, May 1991.

4. Co-author: Report of the Committee of Experts (Constitution) on proposals for a draft constitution of Ghana, Ghana Publishing Corporation, 1991.

5. "Stare Decisis in the Supreme Court of Ghana", University of Ghana Law Journal (1964).

6. "Interests in Land in the Customary Law of Ghana: A New Appraisal", 74 Yale Law Journal (April, 1965).

7. "Fiduciary Principles in Anglo-American Law and Ghana Customary Law - A Comparative Study", International and Comparative Law Quarterly, October 1965.

8. "Law and Society in Ghana", Wisconsin University Law Review, December 1965. Reprinted in Hutchinson (Ed.), Africa and Law, University of Wisconsin, rev. 1968.

9. "Nation-building and Human Rights in Emergent African Nations", Cornell Journal of International Law, August 1969.

10. Property law and social goals in Ghana, Ghana Universities Press, 1976.

11. "The Investment Experience of a Developing Country", published as part of the proceedings of the Conference on Multinational Corporations sponsored by Columbia University Law School and the Columbia Journal of Transnational Law, New York, 26 February 1976.

12. Contribution of section on "Changing Contractual Arrangements Between Host Governments and Transnational Corporations"; "Transnational Corporations in World Development - A Re-examination", United Nations, E/C.10/38, March 1978.

13. "International Transactions and Development Goals" - Ghana Law Review, April 1978.

14. Transnational investment law and national development, 1978 Taylor Memorial Lectures delivered at Lagos University Law School, December 1978. Published by Lagos University as a book in 1982.

15. "United Nations: International Regulation of Transnational Corporations", 1979 Journal of World Trade Law, vol. 13, No. 1, January/February 1979.

16. "Restructuring Transnational Mineral Agreements", American Journal of International Law, July 1979.

17. "Stability of Contractual Relations in the Transnational Investment Process", The International and Comparative Law Quarterly, July 1979.

18. The New International Economic Order and Nationalization and the Restructuring of Transnational Agreements. Proceedings of the Friedman Conference on International Law, 1979. Published by the Columbia Journal of Transnational Law, 1979.

19. Contributor to Legal aspects of the new international economic order. Ed. Kamal Hossain, Frances Printers (Publishers) Ltd., 1980.

20. "Traditional International Law versus Development Imperatives" in Dupuy Editor: The Right to Development at the International Level, 1980, Sijthoff and Noordhoff.

21. Book review of Legal Problems of Codes of Conduct for Multinational Enterprises, Ed. Norbert Horn in vol. 22, No. 1, Winter 1981 issue of the Harvard International Law Journal.

22. Contribution to "Negotiating Foreign Investments in Developing Countries", published by the Investment Negotiation Center, International Law Institute of Georgetown University, 1981.

23. "The Regulation of Transnational Corporations in Developing Countries". Proceedings of the seminar on development problems published by UNITAR and the Soviet Academy of Arts and Science, 1982.

24. "Evolution of Development Contracts: The Issue of Effective Control", (with Stockmayer) Mining Journal Books, London, 1982.

25. "From Concession to Joint Venture Agreement: Restructuring Mineral Agreements - A Case Study from Ghana" (with S. K. Date-Bah), Third World Legal Studies, 1983.

26. Contributor to Rubin and Nelson (Editors) - International Investment Disputes: Avoidance and Settlement, American Society of International Law, 1984.

27. Contribution to "The Protection of Foreign Investment in International Law". Proceedings of American Society of International Law, 1985.

28. Book Review of New Horizons of International Law and Developing Countries, Ed. S. K. Agrawala, T. S. Rama Rao and J. N. Saxena and New Perspectives and Conceptions of International Law: An Afro-European Dialogue, Ed. K. Ginther and W. Benedek, in vol. 80, No. 3, July 1986 issue of the American Journal of International Law.

29. "International Law and Foreign Investment: A Reappraisal". The International and Comparative Law Quarterly, vol. 37, Part III, p. 588, July 1988.

30. "TNCs in World Development - Third Survey", 1983 (sections on international norms relating to TNCs and recent trends in contractual arrangements). Also coordinated the entire study.

31. "TNCs in World Development - Trends and Prospects", 1988 (sections on national and international policies relating to TNCs).

32. Status of the negotiations relating to the United Nations code of conduct on transnational corporations: January 1986 Reconvened Special Session, CTC Reporter No. 21/1986, p. 40.

33. Contributor to "Joint Ventures as a form of International Economic Cooperation", 1988. (Proceedings of a Seminar on Joint Ventures in Moscow, March 1988).

34. Contributor to Snyder and Surakiart (Editors), Third World Attitudes Towards International Law, Kluwer-Nijhoff (Netherlands), June 1987.

35. "Over a Hundred Years of Ghana Legal System - A review and critique", Journal of African Law, vol. 31, 1987.

36. "Negotiating with Transnational Corporations: The Technical Assistance Programme of the United Nations Centre on Transnational Corporations (UNCTC)" (with Roland Brown), International Business Lawyer, October 1988.

37. Book review of "Principles of International Development Law", by Milan Bulajic, in The American Journal of International Law, vol. 83, No. 1, 1989.

38. "The Concept of the Good Corporate Citizen in International Business" (A comprehensive analysis of the provisions of the United Nations code of conduct on transnational corporations), ICSID Review - Foreign Investment Law Journal, vol. 4, No. 1, spring 1989.

39. "Key Issues in Negotiating International Joint Ventures", Proceedings of the Moscow Seminar on Negotiating International Joint Ventures, March 1990.

Some seminars, lectures and workshops

1. Lecture on "International Financing Arrangements" at University of Michigan Law School, Ann Arbor, Michigan, USA (1967).

2. Paper on "Nation-building and Human Rights" at Cornell University, Ithaca, New York, USA (1968).

3. Participated in several annual meetings of the Asian-African Legal Consultative Committee, New Delhi; Accra; (1970-1976).

4. Participated in Commonwealth Law Ministers Conference, London (1973) and Commonwealth Law Conference, Lagos, Nigeria (1980).

5. Participated in African-American Dialogue, Addis Ababa - A dialogue between African and American leaders in International Trade and Investment (1973).

6. Member of a panel of 12 international experts at a seminar on international economic transactions organized by the International Legal Centre, New York (1974).

7. Retained by UNITAR as Professor to lecture on international law and economic development at UNITAR Seminar in Freetown for legal advisers to Governments and university lecturers in Africa (1975).

8. Acted as Consultant to representatives of 10 African Governments in a major consultation with some 20 transnational corporations held at Dakar. The object of this consultation was to discuss relations between African Governments and transnational corporations, both generally and also in relation to specific projects (November 1978).

9. Panelist at a conference on international law and multinational corporations organized by Columbia University Law School, New York, in honour of the late Professor Wolfgang Friedmann (February 1976).

10. Lecture entitled "The Investment Process in Africa: Traditional Concepts versus Development Goals" at Yale Law School, New Haven, Connecticut (March 1976).

11. Lecture at the World Trade Institute, New York, to a group of top business executives and general counsel to major corporations on the legal and financing aspects of doing business in Africa (April 1976).

12. Lecture entitled "Reflections on the Foreign Investment Process in Africa" at a luncheon at the Brookings Institution, Washington, D.C., sponsored by the Institute of International Foreign Trade Law of Georgetown University Law Center (April 1976).

13. Lecture entitled "The Investment Process in Africa: Traditional Concepts Versus Development Goals" to the University of Michigan Law School, Ann Arbor (April 1976).

14. Gave a talk on the relations between host Governments and multinational corporations in Africa at the UCLA Center for African Studies at Los Angeles (April 1976).

15. Paper entitled "Multinational Corporations and International Law" to the Cambridge International Law Club, Cambridge University, England, and Nottingham University, England (1978).

16. Taylor Annual Memorial Lectures on "Transnational Investment Law and National Development" at Lagos University, Lagos, Nigeria.

17. Co-chaired an African regional seminar on structuring and negotiating international mining agreements at Gaborone (1978).

18. Two papers, (a) "Current Negotiations for the United Nations Code of Conduct for Transnational Corporations", and (b) "Stability of Contractual Relations in the Transnational Investment Process" at St. John's College, Oxford University, at a Seminar on the Legal Aspects of the New International Economic Order organized jointly by the International Law Association and the Centre for Research on the New International Economic Order (March 1979).

19. Lecture on the legal implications of the new international economic order with reference to nationalization at the Friedmann Conference on International Law at Columbia University Law School, New York (March 1979).

20. Paper at the Africa Institute of the Soviet Academy of Arts and Science, Moscow, on "The Regulation of Transnational Corporations in Developing Countries" (September 1979).

21. Paper on "Traditional Transnational Investment Law versus Development Imperatives" at a Colloquium on the Right to Development at the International Level at The Hague Academy of International Law (October 1979).

22. Served as a panelist at a Seminar on Career Prospects in International Law at Harvard Law School, Cambridge (November 1979).

23. Chaired and lectured at a UNCTC workshop on joint ventures in fisheries for Asian-Pacific countries at Colombo (1980).

24. Chaired and lectured at a UNCTC workshop on legal aspects of foreign investment at the China Council for Promotion of International Trade, Beijing (1980).

25. Lectured on the management, control and aspects of joint ventures at a UNCTC workshop on international negotiations at Lima (1981).

26. Chaired and lectured at a workshop on negotiating with transnational corporations at Bridgetown, Barbados (1981).

27. Lectured on legal aspects of structuring foreign investment agreements at Khartoum (1980).

28. Chaired and lectured at workshop on negotiating international business transactions in Bangladesh (1985).

29. Chaired and lectured at workshop on transfer-pricing by transnational corporations at a workshop at Karachi (1985).

30. Paper on "Hundred Years of a National Legal System in Ghana" at the Commonwealth Law Conference at Lagos, Nigeria (August 1980).

31. Presented a paper on emerging transnational contractual arrangements between developing countries and transnational corporations in the natural resource sector at the German Foundation for International Development, Berlin (August 1980).

32. Panelist at a Seminar at the Conference Board, New York, on "Anti-trust Problems and Business Dealings with Developing Countries" (March 1981).

33. Served as a panelist at a Seminar on Multinational Corporations at The Third World at Harvard University (March 1981).

34. Gave a lecture on international financing arrangements to a group of government officials at the Chinese Ministry of External Economic Relations with Foreign Countries at Beijing (June 1981).

35. Presided and lectured at workshop on labour aspects of operations of transnational corporations at Nairobi (1981).

36. Chaired and lectured at workshop on negotiating mining and petroleum agreements, Accra (1981).

37. Panelist at a seminar on "Developing Countries in the International Financial System", American University, Washington, under the auspices of the American Society of International Law (1982).

38. Lecture entitled "Relations between developing countries and transnational corporations", at the YMCA International Conference, Toronto (1983).

39. Participated as panelist at a seminar organized by the Islamic Development Bank in Saudi Arabia on Joint Ventures in Islamic Countries (1983).

40. Panelist at a seminar on "International Investment Disputes: Avoidance and Settlement", American Society of International Law Annual Meeting (1984).

41. "Protection of Foreign Investment in International Law", American Society of International Law (1985).

42. "Multinationals and International Law", Georgia University Law School (1985).

43. Panelist at a seminar on "Foreign Investment in Developing Countries", organized by the Overseas Development Council, Washington, D.C. (1985).

44. Paper on "Regulation and Control of TNCs in Africa" at the Annual Meeting of the Association of African Central Banks, Accra (1985).

45. Seminar on Foreign Investment and International Law sponsored by the American Society of International Law and the Asian-African Legal Consultative Committee, New York (1985).

46. Panelist at a seminar on Foreign Investment and Developing Countries organized by the Council for Foreign Relations, Washington, D.C. (1985).

47. Chaired and lectured at regional seminar on international mining agreements at Mbabane (1985).

48. Paper on International Law and the Export of Hazardous Goods, American Society of International Law (1986).

49. Panelist at a seminar on Polish Joint Venture Law at Cracow, Poland (1987).

50. Chaired and lectured at workshops on negotiating joint ventures, management agreements, turnkey and international construction contracts at Lagos, Nigeria (1987 and 1988).

51. Paper on "Negotiating Joint Ventures from Host Country Perspectives" at a seminar on joint ventures in Moscow (March 1988).

52. Participated as a panelist in a seminar of international legal experts at The Hague on the United Nations code of conduct on transnational corporations (1989).

53. Chaired and lectured at seminar on Kenya's experience of international joint ventures (1990).

54. Chaired and lectured at a conference on negotiating international joint ventures. Gave a paper on "Key Issues in Negotiating East-West Joint Ventures", Moscow (March 1990).

55. Has participated actively in numerous meetings of the International Law Association, in which he is a member of the Committee on the Legal Aspects of the New International Economic Order - meetings at Oxford, Paris, The Hague.

56. Attended numerous board meetings as Director of the International Development Law Institute, Rome, which provides training for lawyers from developing countries in international transactions and development law.

57. Lectured at the International Law Section of the New York City Bar Association on the United Nations and International Business.

58. Lectured at the International Law Development Institute, Rome, on Negotiating International Joint Ventures, March 1991.

59. Delivered a paper on "The United Nations Code of Conduct on TNCs: A study in international negotiations" at the American Foreign Law Association, April 1991.

60. Several presentations on Ghana TV and radio on the proposals for a new constitution of Ghana.

NJENGA, Frank X.

(Kenya)

Date of birth: 6 January 1940

Place of birth: Nairobi

Nationality: Kenyan

Marital status: Married with four children

Educational background

1955-1958	Holy Ghost College Mangu Cambridge School Certificate (1st Division)
1959-1961	Makerere University - Preparatory University Studies Intermediate Certificate
1961-1963	University College, Dar es Salaam Law Studies LLB (Hons) (London)
1964-1965	Columbia University, New York Graduate Studies LLM (Columbia)
1967-1968	New York University, New York Graduate Studies LLM (New York University)
1965	Hague Academy, Netherlands Diploma of the Academy

Professional positions

1963-1964 — Deputy Registrar, Kenya High Court

I was involved in the day-to-day administrative court work under the supervision of the Registrar of the High Court of Kenya.

1965-1967 — Law Lecturer, University of Dar es Salaam

I taught various legal subjects including law of torts, evidence, property law, African customary law and international law. Also supervised students' research in African customary law in Kenya and Uganda.

1968-1969 — Law Lecturer, University of Nairobi

I taught a number of subjects including the law of torts, property law and international law.

1969-1980 — Director, Legal Department

As the Legal Adviser to the Ministry of Foreign Affairs, I was involved in all legal issues, including negotiations at bilateral and multilateral levels, drafting legal instruments, dealing with legal issues relating to diplomatic privileges and immunities and representing the Government of Kenya in international conferences, seminars and meetings. For four years, I was posted to the Kenya Permanent Mission to the United Nations where I dealt with legal issues relating to the United Nations General Assembly, Security Council and specialized agencies. I was the Kenya Representative to the Sixth Committee of the General Assembly from 1969 to 1975.

1980-1987 — Director of Political Department of the Organization of African Unity

Under the overall supervision of the Assistant Secretary-General (Political) I have been responsible for the management and policy formulation of the Political Department of OAU. Apart from advising the political organs of OAU, it has been my duty to initiate and supervise the preparatory work of the Council of Ministers and Assembly of Heads of State and Government on political issues and I have, in this connection, attended all the meetings of these main organs of OAU. I have also been responsible for the preparation of the work of the various political committees of OAU, including the Defence Commission, Committee on Western Sahara, Committee on Chad, Committee on the Somalia/Ethiopia Dispute, etc. I have also

been involved in several fact-finding missions including as leader of the OAU Observer Delegation to the pre-independence election in Zimbabwe in 1980; as a member of the OAU Delegation to Angola concerning South Africa's invasion in 1981; as a member of the OAU Delegation to Spain and Canary Islands on the issue of independence for the Canaries in 1982; as a member of the OAU Delegation to pre-Independence Talks between South Africa and SWAPO in Geneva in 1981 and as a member of the OAU Delegation on the Burkina Faso/Mali Dispute in 1985.

1987 — Assistant Executive Secretary, OAU Geneva Office

I was responsible for political and information affairs of the Geneva Office and liaison with the United Nations Office at Geneva, the United Nations Centre for Human Rights, the United Nations High Commissioner for Refugees in the implementation of the resolutions of the OAU Council of Ministers and the decisions of the Assembly of Heads of State and Government.

1988 (March) to present — Elected Secretary-General of the African-Asian Legal Consultative Committee. In that capacity responsible for steering the affairs of AALCC and in conjunction with the annual sessions of AALCC responsible for establishing the programme of work and general policy for the Committee. Responsible also for liaising between AALCC and other international organizations.

Professional experience

- Kenya Representative on the Committee on Friendly Relations, 1969-1970.
- Kenya Representative on the Committee on Peaceful Uses of the Seabed and Ocean Floor, 1969-1973.
- Kenya Representative at the Law of the Sea Conference, 1973-1980.
- Vice-Chairman of the Second Committee of the Law of the Sea Conference.

- Chairman of Negotiating Group I of the Law of the Sea Conference.

- Member of the Kenya Delegation to the United Nations General Assembly, 1969-1975.

- Kenya Representative to the Asian-African Legal Consultative Committee Sessions at Karachi, 1969; Colombo, 1970; Lagos, 1971; and Seoul, 1979.

- Participated as an Adviser to the Kenya Delegation to the twenty-seventh session of AALCC in Singapore, 1988.

- Kenya Representative to UNCITRAL, 1970-1975.

- Chairman of the Sixth Committee of the General Assembly, 1975.

- Member of the International Law Commission since 1976. Have participated actively in all sessions and served in various capacities as Vice-Chairman, General Rapporteur, Member of Drafting Committee and Member of the Planning Group.

- Member of the Governing Board of IMO International Maritime Law Institute.

- Member of the Board Institute of Investments and Arbitration of the Cairo Regional Centre for International Commercial Arbitration since 1989.

- Member of the Governing Board of Asian Yearbook of International Law.

- Advocate of the Kenya Bar and Member of Kenya Law Society since 1979.

- Published a number of articles particularly on the law of the sea.

- Gave a course of lectures on the nature and historic background of the exclusive economic zone to the External Session of The Hague Academy of International Law at Cairo in 1985.

- Participated at the Islamic Conference Organization Seminar on International Terrorism at Geneva in 1987 and delivered a paper on "Terrorism and International Law".

- Participated in the International Conference on Environment at Lisbon in April 1987 and presented a paper on "OAU and the Environment".

- Elected Secretary-General of AALCC in March 1988.

- Led the AALCC delegation to the twenty-eighth session in 1989 in Nairobi, the twenty-ninth session in 1990 in Beijing and the thirtieth session in Cairo in April 1991 in my capacity as Secretary-General.

- Participated in the International Conference on Violation and Defence at Tehran in August 1988.

- Represented AALCC at the forty-third, forty-fourth and forty-fifth sessions of the General Assembly.

- Represented AALCC at the Conference of Plenipotentiaries on the Control of Transboundary Movements of Hazardous Wastes at Basel, in March 1989.

- Participated at the Seminar organized jointly by the Law of the Sea Institute and Netherlands Institute of the Law of the Sea in June 1989 and delivered a paper on the "Role of International Organizations in the Implementation of the Law of the Sea Convention 1982".

- Participated at the PACEM IN MARIBUS XVII in Moscow in June 1989.

- Delivered a keynote lecture at the Training Programme of the International Ocean Institute, held at Dalhousie University, Halifax, Canada, in August 1989.

- Participated at the first and second sessions of the OAU Expert Group of Legal and Technical Experts in December 1989 and May 1990 on drafting of the African Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal.

- Represented AALCC at the First Substantive Session of the Preparatory Committee for the United Nations Conference on Environment and Development at Nairobi in August 1990.

- Participated in the first meeting of John D. and Catherine T. MacArthur Foundation Project on Governing Principles of International Law convened in Talloires, France, in June 1990 by the American Society of International Law. Member of the Advisory Committee of the Project and continue to be a member of the Working Group on the project.

- Participated in the meeting of the Group of Legal Experts to Examine the Concept of Common Concern of Mankind in Relation to Global Environmental Issues organized by UNEP in Malta in December 1990.

- Unanimously re-elected as Secretary-General of the Asian-African Legal Consultative Committee during the thirtieth session, held at Cairo in April 1991.

- Participated at the meeting to review the functioning of the Permanent Court of Arbitration held at The Hague in May 1991.

- Participated at the meetings of Senior Legal Advisers on the Revision of Montevideo Programme for Development and Periodic Review of Environmental Law in Geneva in July 1991 and at Nairobi in September 1991.

- Represented AALCC at the second and third sessions of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change held at Geneva in June 1991 and at Nairobi in September 1991, respectively.

- Participated at the Seminar of Developing Countries on Environment and Development in Beijing in August 1991.

SSEKANDI, Francis M.

(Uganda)

Born in Mbarara, Uganda, on 29 September 1940.

- Married to Joanne Binder.

Languages

- Fluent in English, with a working knowledge of French.

Judicial experience

- Justice of Appeal, Court of Appeal (Supreme Court) of Uganda since 1978 until retirement to join United Nations service in 1981. The Court of Appeal for Uganda replaced the East African Court of Appeals in 1978, and is now called the Supreme Court of Uganda. The Court exercises final appellate jurisdiction in civil and criminal matters and has original and final jurisdiction in constitutional matters.

- Puisne Judge, High Court of Uganda, 1974-1978. Author, several landmark decisions in civil and criminal cases, and customary law. The High Court was until 1978 the highest court of record in Uganda, with original and appellate jurisdiction in civil and criminal matters. Appeals in capital cases were made to the East African Court of Appeal. It exercised original and final jurisdiction in constitutional matters until 1978.

Teaching experience

- Visiting Professor of International Law, Wayne State University, Detroit, Michigan, 1980-1983 (on leave of absence, 1981-1983).

- External Examiner at Makerere University, 1975-1979; Nairobi University Faculty of Law, 1974; Haile Selassie University, Ethiopia, 1973.

- Chairman, Uganda Law Council, 1974-1978.

- Director of the Law Development Centre, 1971-1974 - established the Post-Graduate Bar Course for admission to the Uganda Bar.

- Visiting Fellow in Jurisprudence, Makerere University, 1972-1974.

- Visiting Lecturer in Criminal Law and Evidence, Makerere University, 1968-1970.

Other offices held

- Senior, Principal State Attorney, Ministry of Justice of Uganda, 1966-1971. As such, represented the State before High Court and Court of Appeals.

United Nations employment (1981 to present)

- Deputy-Director, General Legal Division, Office of Legal Affairs, United Nations. Providing legal advice and assistance in drafting international, institutional and constitutional documents for United Nations activities; legal adviser, United Nations subsidiary organs responsible for international technical cooperation and development - in particular, UNDP and UNICEF. Assisting in the review and resolution of disputes arising from project implementation. Drafting agreements and contracts for technical cooperation and development assistance with Governments and private corporations. Assisting in various United Nations activities connected with restructuring of UNITAR, dissolution of the Trust Fund for Namibia, the UNEO Trust Fund. Drafting the Financial Regulations and Rules (UNICEF). Representing the Secretary-General before the United Nations Administrative Tribunal and other judicial and arbitral bodies.

- Consultant, United Nations Centre on Transnational Corporations (UNCTC), 1979-1980.

Professional qualifications

- LL.M. (Columbia) 1966; LL.B. (Hons) London, 1965.

- Areas of specialization: public international law; jurisprudence; international commercial law; conflicts; comparative law.

- Called to the Uganda Bar, 1966.

- Admitted to the New York Bar, Appellate Division of the Supreme Court of the State of New York (Third Judicial Department) USA, 1981.

Awards received

- Recipient of Dean's First Prize in First Year Law School, 1963, and scholarship as Visiting Student, School of Oriental and African Studies, University of London, 1963.

- Scholarship student, Post-graduate studies in International Law and Economic Development, Columbia University, 1965.

- Subject of biographical record, Who's Who in American Law, 1987-1988, 5th ed.

Membership in professional associations

- American Society of International Law
- American Bar Association
- Association of the Bar of the City of New York, USA
- Member, Board of Editors, New York Law School Journal of International and Comparative Law, 1983
- International Law Society of Third World Lawyers, 1981-1991
- Judge, Regional Jessup Moot Court Competitions, 1981-1984
- American Society of Law Teachers, 1980-1981
- Chairman, Uganda Law Council, 1974-1978
- Editor-in-Chief, Uganda Law Reports
- Attended World Peace Through Law Conference, 1973, Abidjan
- African Bar Association, 1972
- Chief Editor, Uganda Law Focus, 1971-1974
- Member, Uganda Research Council, 1971-1974
- Country representative, World Peace through Law, 1971-1974
- Uganda Law Society, 1966

Selected publications and writings

- "Contracts between States and Private Companies", 1966, East African Law Journal
- "Kondoism - Capital Punishment for Robbery Revisited", 1970, East African Law Review
- Charter of Economic Rights and Duties of States - Law or Rhetoric?, 1980
- "Legal Regime of Mining Concessions", UNCTC, 1980 (unpublished)

- Uganda Law Focus, "Whither to the Common Law Tradition?", 1975

- Hyam v. D.P.P., 1978

- Doctrine of Precedent, 1978

- "Autochthony - The Development of Law in Uganda", 1983, 5, New York Law School Journal of International and Comparative Law

- Contributor, Proceedings, American Society of International Law, 1966, 1981

- Specimen Charges (Book), Introduction to Law in Uganda

- Book review of International Law and the New States of Africa by Makonnen in UN Secretariat News;

- "The Fundamental Constitutional Issues Facing Uganda Today" (submitted to Workshop on Uganda Constitution, University of New Hampshire)

- "The Constitution: A Social Compact" (submitted to the Uganda Law Reform Commission)

- "The Uganda Constitution", constitutional proposals presented to a Uganda Constitution workshop

- Editing: Elias' New Horizons in International Law (2nd ed.) (to be published as a UNITAR publication in 1991)